P6

O.F. 71.

19

Department of

OFFICE ... of the Board of Rev.

STATION Kandari

N.W. No. 327

Dated 2[illegible]7

Pages in the file

(SUBJECT.)

Accounts - Village Panchayat - South Kanara

Rules under the Madras Village Courts Act

Amendments suggested - Letter from the

President Panchayat Court, Puttur -

[illegible]

C.F. 30.

HOME DEPARTMENT.

Received ..... 19 . *Registered* A 128 19

8 JAN 1937

Subject.

The Madras Village Courts Act - Rules - Amendments - Suggested - Letter from the President, Panchayat Court, Puttur - submitted.

ENCLOSURES.
No. .....
.....
Spare copies .....

L. Dis.No. 6379/36.

Station Mangalore , *Dated the* 5th January 1937.

From (Name) A. D. Crombie, Esquire, C.I.E., I.C.S.,
(Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,

Through the Secretary to the Board of Revenue, Home Department, Madras.

Sir,

M 5-6 4 I submit herewith a letter dated 4-12-1936 from the President, Panchayat Court, Puttur, addressed to Government suggesting certain modifications in the rules made under the Madras Village Courts Act. The Acts of the other Provinces referred to by the President are not available here and I am unable to verify the accuracy of his quotations. I may, however, state that so far, there have been no complaints of any difficulties in the working of the rules for want of the amendments now proposed. One of the main advantages to the people from a Panchayat Court is that they have not to pay

for a decree and attempts to impose copying or process fees with a view to appoint a paid copyist or clerk should. I submit be discouraged. There is no occasion for a decree of a Panchayat Court to be anything but brief and it will not be difficult for the Court to give a copy of it on the spot. It is not desirable to make the procedure in Panchayat Courts more formal and I am opposed to the amendments suggested by the President of the Puttur Panchayat Court for which there appears to be no real need.

Your obedient servant,

6.1.37

For Collector.

6.1.37

3/87c

Copy of letter from the President, Panchayat Court, Puttur, South Kanara, dated 4th December 1936.

The President, Panchayat Court, Puttur, humbly begs to invite the kind attention of the Government to section 46 Rule 65 of the Madras Village Courts Act which enjoins that a copy of the decree passed by the Panchayat Court should be delivered to the party then and there as detailed therein.

But this system varies in other Provinces whereby a Panchayat Court is not encumbered with heavy clerical work but on the other hand there is a saving of some money to Government as will be clear from the rules quoted herein below:-

Central Provinces village Panchayat Act Rule 43.

"Copying fee shall be charged at the rate of 3 annas for every 180 english words or 270 vernacular words, four figure being counted as one word".

Upper Provinces Village Panchayat Act Rule 24 B.

(1) "A fee of annas 4 should be levied on each decree copy"

(2) "SarPanch (President) shall" "arrange with a patwari, school teacher or" "other literate person to make it. Every copy shall be" "compared by the Sar Panch (President) with the original and" "shall be certified to a true copy"

(3) "Half of the copying fee realised under sub Rule (1)" "of this rule shall be paid to the person making the copy".

Therefore the President, Panchayat Court, Puttur with the consent of his co-members begs to move the Government that the Madras Village Panchayat Courts Act may be revised or modified in the light of the rules in practice in the aforesaid 2 Provinces as the rule of the Madras Village Panchayat Courts Act to deliver copies of decrees then and there is found hard and impracticable.

Secondly the Government may be pleased to authorise the

the Panchayat Court President to issue a notice to a judgment creditor when a decree holder takes out an execution towards a decree after the expiry of the year.

Lastly the President may also be empowered to get a mistake that may arise in writing or accounting rectified as section 48 of Travancore village Panchayat Courts Regulation is in favour of the same section 48 runs as follows: "If any clerical or" "arithmetical" "error found in the decree the Court" "shall of its own motion or" "on that of any of the parties" "amend the decree so as to correct" "such error provided" that reasonable notice has been given" to the" "parties of the proposed amendment".

Awaiting favourable orders of Government on the subject.

PGR-30-1-37.

A.J.S

A.S(H/R)

(7) 5

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..	2/2	mal CR
When signed ..		
When despatched.		

SUBJECT :— Courts - Village Panchayat - (S. Kanara) Rules under the Madras Village Courts Act - Amendments - Suggested - letter from the President Panchayat court Puttur - submitted.

READ AGAIN ____, dated ____ 19____.

" " ____ " ____ 19____.

READ *ALSO* :—

P(G) No. ____ From the A128/37 —, No. R, dated ____ 19____.

" ____ " ____ " ____ " ____ 19____.

" ____ " ____ " ____ " ____ 19____.

~~Order~~ / Resolution ~~Mis.~~ / Rout. No. 327, dated 28.1. 19 37.

Submitted to the Govt.

2. The Board endorses the remarks of the Collr. of South Kanara on the suggestions made by the President, Panchayat Court, Puttur.

hw 22/1/37

hz 25.1.37

HW 26/1/37

AJS 27.1.37

To

The Secy to the Govt. Home Dept

with the letter No. L.Dis 6379/36

5.1.37 from the Collr of S. Kanara

letter dt 7.4.12.36 from the President

Panchayat court, Puttur.

C.D pp 3-6 cf is original to be sent

C.D Pl. keep. O.C of the President's letter dt 7/4 12/36 at pp 5-6 cf.

Issue

hz 29/1/37

HOME DEPARTMENT.

A578

SECY.
10 FEB 1937

BOARD OF REVENUE
10 FEB 1937

Memorandum No. 450 E-1., Dated 9th February 1937.

Courts - Village panchayat - Rules framed under the Village Courts Act - Amendments - Ref:From the Board of Revenue, Mis.No.327, dated 28.1.1937

P5 (P)

The President, Panchayat Board, Puttur, should be informed that Government do not consider that the amendments suggested by him are necessary.

H.M. HOOD,
Secretary to Government.

To the Board of Revenue.

FORWARDED.

(By Order).

K.M. Varadarajan
Superintendent.

S.R.R.

AS(L.R)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT:—

Courts - Village panchayat - Rules framed under the Village courts Act. Amendments suggested by the President, Panchayat Board.

READ AGAIN _____, dated Puttur — Not necessary to send Memo

" " _____ " Communicated 19____.

READ ALSO:- P1 of (P) letter from the colly of S. Kanara L.Dis 6379/36 No. _____ From the _____, No. _____, dated _____ 19 5-1-37 — Q

" (A576/37) " P1 cf - agt memo (Home Dept) No. 450E-1899-2-37 — A

" _____ " _____ " _____ " _____ 19____.

Order / Resolution Ms. / Rout. No. _____, dated Endt No A576/37 of 11-2-1937.

Communicated to the colly of S. Kanara for necessary action

11.2.37

11.2.37

11/2/37

Issue

11-2-37

To

The Colly of South Kanara

Note

After issue this will be stitched

(P) ~~forward~~ with OP No 327 of 28.1.37

11.2.37

11.2.37